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Attorneys for Plaintiff

THE UNITED STATES DISTRICT COURT
THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No. CR 08-0238 MHP

Plaintiff,)

v.)

JASON HOANG, YANG CAO, and YANG)
HUA MEI,)

Defendants.)

**STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME FROM JULY
7, 2008 THROUGH SEPTEMBER 8, 2008**

On July 7, 2008, the parties in this case appeared before the Court for a status conference. The parties stipulated and the Court agreed that time should be excluded from the Speedy Trial Act calculations from July 7, 2008, through September 8, 2008, for effective preparation of defense counsel. The parties represented that granting the continuance was the reasonable time necessary for effective preparation of defense counsel, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by granting such a continuance outweighed the best interests of the public

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1 and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(8)(A).

2 SO STIPULATED:

3 JOSEPH P. RUSSONIELLO
4 United States Attorney

5 DATED: August 5, 2008

6 /s/ Owen Martikan
OWEN P. MARTIKAN
Assistant United States Attorney

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8 DATED: July 31, 2008

BARRY J. PORTMAN

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11
12 DATED: August 4, 2008

/s/
RONALD C. TYLER
Attorney for Jason Hoang

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14 DATED: August 1, 2008

/s/
ALAN A. DRESSLER
Attorney for Yang Hua Mei

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17 As the Court found on July 7, 2008, and for the reasons stated above, an exclusion of time
18 from July 7, 2008, through September 8, 2008, is warranted because the ends of justice served by
19 the continuance outweigh the best interests of the public and the defendant in a speedy trial. *See*
20 18 U.S.C. § 3161(h)(8)(A). The failure to grant the requested continuance would deny defense
21 counsel the reasonable time necessary for effective preparation, taking into account the exercise
22 of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. § 3161(h)(8)(B)(iv).
23 SO ORDERED.

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26 DATED: _____

HON. MARILYN HALL PATEL
United States District Judge